

CALFRESH REQUEST FOR POLICY INTERPRETATION**PI# 18-36**

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Retain a copy for your records and submit via email to CalFresh-PI@dss.ca.gov.

Please note: the policy interpretation provided is based on the unique set of facts presented and should not be assumed to apply in all scenarios.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input checked="" type="checkbox"/> QC <input type="checkbox"/> Other:		5. DATE OF REQUEST: 03/28/2018	NEED RESPONSE BY: 04/20/2018
		6. COUNTY/ORGANIZATION: Department of Human Services	
		7. SUBJECT: Mid Period Change	
2. REQUESTOR NAME:		8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). FNS 322.1 Household Circumstances FNS 310 510 Verification FNS 310 1021.3 Verification	
3. PHONE NO.:	EMAIL:		
4. REGULATION CITE(S): FNS 310- 322.1, FNS 310 - 510 @ 1021.3 Verification			
9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY): Scenario:			

Client provides a mid-period change by submitting a paystub from new employment. The paystub indicates client is working 40 hours and has YTD earnings listed on the paystub. The worker received the verification, scanned it into the case without addressing or listing case documentation for disregarding the verification. Upon review from QC, it was discovered the client continued to work full time with the reported employer through the review month. In addition, FNS 310-322.1 states reviewer must review all information applicable to the case as of the review date. This income is considered VUR, shouldn't the worker have taken action on the reported income unless the a valid reason for not using the earnings was documented? There was an example discussed during the FAAC meeting on Wednesday, March 28, 2018 which states QC should ignore if the worker was "Unclear". Not sure if it applied to this scenario. Please clarify

10. REQUESTOR'S PROPOSED ANSWER: FNS 310 - 1021.3, states It is the responsibility of the reviewer to find all sources of income in determining the household's actual circumstances for the review period. If the reviewer finds reason to doubt the household circumstances (ie, unexplained income, suspected seasonal work, etc) the reviewer must: Thoroughly investigate questionable information, resolve conflicting information and, document how they determined which information is correct and why the differing statement was incorrect or incomplete. In this instance, QC determination would be to cite the case in error because we verified the mid period report provided to program was consistent and no action was taken by the worker to address or document why the income was disregarded and not used to re-calculate the benefits mid-period based on the paystub provided. Without documentation by the worker, QC is unable to know why the worker failed to address the reported income.
11. STATE POLICY RESPONSE (CFPB USE ONLY): The reviewer is required to conduct a thorough review of household's circumstances as stated in the above references. Wages received in the sample month will be counted in comparison I (Keep in mind that if the income is over the HH's IRT, and results in a citable error of more than \$37, the reviewer must follow the steps in the FNS 310, Section 726.1 to determine which income to count in comparison II). If section 726.1 doesn't apply, QC must consider the following in regards to the one paystub submitted to the CWD mid-period: (NEXT PAGE)

FOR CDSS USE

DATE RECEIVED:	DATE RESPONDED TO COUNTY/ALJ:
----------------	-------------------------------

CALFRESH REQUEST FOR POLICY INTERPRETATION (Continued)**PI#18-36**

1. RESPONSE NEEDED DUE TO: <input type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Other:		5. DATE OF REQUEST:	NEED RESPONSE BY:
2. REQUESTOR NAME:		6. COUNTY/ORGANIZATION:	
3. PHONE NO.:	EMAIL:	7. SUBJECT:	
4. REGULATION CITE(S):		8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> NOTE: All requests must have a regulation cite(s) and/or a reference(s).	

The FNS 310, Chapter 7, Section 726.2, states that the EW is required to process any change in circumstances that would result in an increase in the household's benefits. In regards to decreases, it states that the EW must NOT process any change in circumstances that would result in a decrease in the HH's benefits until the end of the certification period unless:

(1) the state agency has CLEAR information about the HH's circumstances considered verified upon receipt, or

(2) there has been a change in the PA grant, this also applies to the GA grant if the GA grant & CF are jointly processed.

ACL 13-17, page 3, states that reported information is considered "VUR" when the information is not questionable. In this scenario, the reported income verification is NOT verified upon receipt. QC determined that it was new income, it didn't exceed the HH's IRT; therefore, it is not a mandatory report. ACL 18-18, page 3, clarifies that a mandatory mid-period report of gross monthly income over the IRT must be reported within 10 days of receipt of the first payment that places the HH over the IRT. The CWD was correct in not acting on the reported information; since, additional information was required from the HH, such as clarifying with the HH if the income reported was expected to continue and the payment frequency had to be verified in order to adjust the CalFresh benefits. ACL 13-17 page 3, under the NOTE section, recommends that when income is reported mid-period and is not VUR, the CWD should send the HH a reminder notice alerting them to report once the income exceeds the HH's IRT.